THE INDIAN REGISTRATION (BOMBAY AMENDMENT) ACT, 1930.

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BOMBAY ACT No. XVII OF 1930.[1]

[THE INDIAN REGISTRATION (BOMBAY AMENDMENT) ACT, 1930.]

[*4th September 1930.*]

Adapted and modified by the Adaptation of Indian Laws Order in Council.

An Act further to amend the Indian Registration Act, 1908, in its application to the Presidency of Bombay.

XVI of 1908. 5 & 6 Geo. V, c. 61.

WHEREAS it is expedient further to amend the [2]Indian Registration Act, 1908, in its application to the Presidency of Bombay, in manner hereinafter appearing; And whereas the previous sanction of the Governor General required by sub-section (*3*) of section 80-A of the Government of India Act has been obtained for the passing of this Act; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Indian Registration (Bombay Amendment) Act, 1930.

Amendment of section 69 of Act XVI of 1908.

2. After clause (*g*) of sub-section (*1*) of section 69 of the [2][Indian Registration Act, 1908, hereinafter called the said Act, the following clause shall be inserted, namely:—

VI of 1908.

"(*gg*) regulating the procedure for transmitting documents for being photographed and the serial numbering, binding and preservation of the photographic prints and negatives."

Insertion of new Part XI-A in Act XVI of 1908.

3. After Part XI of the said Act, the following shall be inserted, namely:—

"PART XI-A.

OF THE COPYING OF DOCUMENTS BY MEANS OF PHOTOGRAPHY.

Application of this part.

70-A. This part shall apply to the areas only in respect of which a notification is issued by the [3][Provincial Government] under section 70-C.

Definition.

70-B. For the purposes of this Part 'Photo-Registrar' means any person appointed by the [3][Provincial Government] to perform the duties of Photo-Registrar under this Part:

[4]* * * * *

Documents may be photographed in areas notified by Provincial Government.

70-C. (*1*) The [3][Provincial Government] may, by notification in the [5][*Official Gazette*], direct that in any district or sub-district specified in the notification copies of documents admitted to registration under this Act shall be made by means of photography.

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[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1930, Pt. V, p. 180; and for Proceedings in Council, *see* Bombay Legislative Council Debates, 1930, Vol. XXIX.

[2] See Central Acts.

[3] The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation of Indian Laws Order in Council.

[4] The proviso was omitted by the Adaptation of Indian Laws Supplementary Order in Council.

[5] The words "*Official Gazette*" were substituted for the words "*Bombay Government Gazette*" by the Adaptation of Indian Laws Order in Council.

(*2*) On the issue of such notification it shall be translated into the vernacular of the district and shall be posted in a conspicuous place at the Registration offices affected by the notification.

Application of Act to areas notified under section 70-C.

70-D. In any district or sub-district in respect of which a notification has been issued under section 70-C the provisions of this Act shall, for the purposes of this Part, be subject to the following modifications, namely :—

(*1*) (*a*) Every document admitted to registration under section 35 or section 41 shall be carefully marked with an identification stamp and the serial number of the document on every page.

(*b*) It shall then be transmitted by the registering officer to the Photo-Registrar, who shall cause, each side of each page of such document together with all stamps, endorsements, seals, signatures, thumb-impressions and certificates appearing thereon to be photographed without subtraction or alteration. He may for this purpose cut or untie, without breaking any seals, the thread or ribbon wherewith the pages of the document are sewn together in order to separate the pages of the document, and, as soon as the document has been photographed, he shall rebind the document exactly as before and if he has cut the thread or ribbon shall seal it over the joint with his seal :

Provided that before transmission of the document to the Photo-Registrar the party presenting the document may require the registering officer to have it copied by hand under section 52 on payment of an additional copying fee.

(*c*) There shall then be prepared and preserved the negative and at least one photographic print and to each such negative and print the Photo-Registrar shall fix his signature and seal in token of the exact correspondence of the copy to the original document, as admitted for registration.

(*d*) One set of such prints arranged in the order of their serial numbers shall be made up into books and sewn or bound together. To each such book the Registrar or Sub-Registrar shall prefix a certificate of the serial numbers it contains, and the books shall then be preserved in the records of the Sub-Registrar. The negatives shall be preserved in such suitable place as the Inspector-General may prescribe.

(*2*) All words and expressions used in the Act with reference to the making of copies of documents by hand or the entering or filing of documents or memorandum in books provided under section 16 shall, so far as may be necessary, be construed as referring to the making of such copies by means of photography or the entering or filing of documents or memoranda in books made up of copies prepared by means of photography.

(*3*) Where this Part applies the sections mentioned below shall be deemed to be modified as follows :—

(*a*) In section 19 the words ' and also by a true copy ' shall be omitted ;

(*b*) sub-section (*4*) of section 21 shall be omitted ;

(*c*) the words ' according to the order of its admission ' occurring in clause (*c*) of sub-section (*1*) of section 52 shall be omitted ;

(*d*) section 53 shall be omitted ;

(*e*) in sub-section (*1*) of section 60 the words ' and page ' shall be omitted;

(*f*) sub-section (*1*) of section 61 shall be omitted ;

(*g*) in sub-section (*1*) of section 62,—

(*i*) for the word ' transcribed ' the word ' copied ' shall be substituted ; and

(*ii*) for the words and figures ' copy referred to in section 19 ' the words ' photograph of the original ' shall be substituted."